

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
P. HERMONAT *et al.*

Serial No. 09/693,908

Filed: October 23, 2000



Attorney Docket No. 023533/0130

Group Art Unit: 1633

Examiner: Billy D. Chism

For: ADENO-ASSOCIATED VIRUS AAV REP78 MAJOR REGULATORY PROTEIN
MUTANTS THEREOF AND USES THEREOF

**AMENDMENT AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. §1.111**

RECEIVED

Commissioner for Patents
Washington, D.C. 20231

JUN 28 2002

TECH CENTER 1600/2900

Sir:

This is in response to the Office Action mailed March 27, 2002 in the above-identified application. It is believed that no fee is due but should such a fee be due, consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Deposit Account No. 19-0741. Kindly amend the application as follows:

Applicants respectfully request the amendment of the application as follows:

IN THE SPECIFICATION:

On page 1, after the "Background of the Invention" please insert the following paragraph:

BJ The present application claims priority to U.S. Provisional Application Serial No. 60/160,608 filed on October 21, 1999.

On page 12, delete the paragraph which starts on line 23 and ends on page 13, line 3, and replace this paragraph with the following in accordance with 37 CFR §1.21. A marked up version showing changes is attached:

B2 The second type of AAV Rep78 mutant is a mutant possessing weak or no DNA binding affinity to at least one DNA sequence obtained from a PV or an AAV, such as the promoter, AAV p5 or HPV-16 p97, when this binding affinity is compared to the binding